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| 09/613,616 | 07/11/2000 | Robert Baranowski | 06662.007 | 1178 |
| 20480 | 7590 | 07/07/2005 | EXAMINER | |
| STEVEN L. NICHOLS RADER, FISHMAN & GRAVER PLLC 10653 S. RIVER FRONT PARKWAY SUITE 150 SOUTH JORDAN, UT 84095 | | | LE, VIET Q | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2667 | |

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/613,616

Applicant(s)

BARANOWSKI, ROBERT

Examiner

Viet Q. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This communication is in response to applicant's amendment filed on April 06, 2005. Claims 1-29 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 11-13, 22-26, 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Ayanoglu et al. (U.S. 6,122,759), hereinafter referred to as Ayanoglu.

Regarding claims 1, 12 and 23, Ayanoglu disclosed a wireless access point for use in a local area network (Figure 3, access point or portable base station 22) for transmitting data among networked devices (Figure 3, network devices 28), the wireless access point comprising: a wireless transceiver (Figure 4, box 48 & 46) for wireless receiving and transmitting a data signal among said networked devices (Figure 3,

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network devices 28); and a controller (Figure 4, box 44) for controlling said transceiver (Figure 4, box 48 & 46) to receive and transmit said data signal among networked devices (Figure 3, network devices 28) within the range of said transceiver so as to wirelessly relay said data signal among said network devices in accordance with a designated recipient device of said data signal specified by said data signal (Column 4, lines 9-12; Column 6, lines 66-67 & column 7, lines 1-10).

Regarding claims 2 and 13, Ayanoglu disclosed a wireless access point (Figure 3, box 22) which has no wired connection to a local area network (LAN 20), and communicates with other networked devices (Network devices 28) of said network solely through said wireless transceiver (Figure 4, box 48 & 46).

Regarding claims 11 and 22, Ayanoglu, disclosed the access point equipment could be incorporated into any of the networking device (See column 4, lines 25-35, figures 3 & 4. In this case, access points or base stations are just the chips. Chips can be built into any networking device. In this case, these chips can be combined into devices 28. In this figure, box 22 and 28 is considered as one device with 2 functions).

Regarding claims 24 and 29, Ayanoglu disclosed a system including a wireless data local-area-network that supports wireless portable devices (Figure 3, LAN 20 of access point or portable base stations 22 and devices 28), the system comprising: a plurality of wireless access points (Figure 3, access point or portable base station 22) in said network which receive wireless transmissions from said portable devices (Figure 3, devices 28); a processor for determining a location of a portable device based on transmissions received by any of said plurality of access points from said portable

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device (Column 9, lines 38-51) wherein said processor maybe in said wireless portable device or maybe in an access point or other network device; wherein a functionality of said portable device is controlled in response to said determined location (Column 9, lines 42-43).

Regarding claim 25, Ayanoglu disclosed the wireless access point has a wired connection to the network (See column 3, lines 59-62).

Regarding claim 26, Ayanoglu disclosed portable device comprises a wireless phone unit according to said determined location (Column 4, lines 6-9).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 6-7, 14, 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayanoglu in view of Matsuo (U.S. 6,526,293).

Regarding claims 3 and 14, Ayanoglu disclosed a wireless access point for use in a local area network (Figure 3, access point or portable base station 22) for transmitting data among networked devices (Figure 3, network devices 28), the wireless access point comprising: a wireless transceiver (Figure 4, box 48 & 46) for wireless receiving and transmitting a data signal among said networked devices (Figure 3,

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network devices 28); and a controller (Figure 4, box 44) for controlling said transceiver (Figure 4, box 48 & 46) to receive and transmit said data signal among networked devices (Figure 3, network devices 28) within the range of said transceiver so as to wirelessly relay said data signal among said network devices in accordance with a designated recipient device of said data signal specified by said data signal (Column 4, lines 9-12; Column 6, lines 66-67 & column 7, lines 1-10).

Ayanoglu, however, fails to expressly disclose the access point consisting of a power connector connecting to the power supply.

Matsuo disclosed a base station or a wireless communication apparatus with a power connector (See abstract section).

It would have been obvious to one having ordinary skills in the art at the time the invention was made to have the access point built with a power connector, the motivation being that with a power connector the access point will be able to get power to the device.

Regarding claims 6 and 17, Matsuo disclosed an alternate power source to the base station (See abstract section).

Regarding claims 7 & 18, Matsuo disclosed the alternate power source to be rechargeable and can be charged from the primary power source (See abstract section).

6. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayanoglu & Matsuo in view of Gilbert (U.S. 6,067,583) hereinafter referred to as Gilbert.

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Regarding claims 4 and 15, Ayanoglu disclosed a wireless access point for use in a local area network (Figure 3, access point or portable base station 22) for transmitting data among networked devices (Figure 3, network devices 28).

Matsuo disclosed a base station or a wireless communication apparatus with a power connector (See abstract section).

Ayanoglu & Matsuo, however, failed to specify the power connector is a pair of prongs for connection to a wall outlet.

Gilbert disclosed an access point with a power connector is a pair of prongs (See figure 2D or 2E).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the access point with the power connector of a pair of prongs, the motivation being that with the standard power connector of a pair of prongs, one would be able to connect the access point to a more standard available power jacks.

7. Claims 5 & 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayanoglu & Matsuo in view of Beamish et al. (U.S. 6,653,932) hereinafter referred to as Beamish.

Regarding claims 5 and 16, Ayanoglu disclosed a wireless access point for use in a local area network (Figure 3, access point or portable base station 22) for transmitting data among networked devices (Figure 3, network devices 28).

Matsuo disclosed a base station or a wireless communication apparatus with a power connector (See abstract section).

Ayanoglu & Matsuo, however, failed to specify the power connector to be a threaded connector for connection to a light bulb socket as said power supply.

Beamish disclosed the power connector to be a threaded connector for connection to a light bulb socket as said power supply (See column 12, lines 5-9).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the access point with the power connector to be a threaded connector for connection to a light bulb socket as said power supply, the motivation being that a threaded connector as the power connector will easily connect to a widely available light bulb socket power sources available.

8. Claims 8-9 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayanoglu in view of Durdik (U.S. 5,072,370).

Regarding claims 8 and 19, Ayanoglu disclosed a wireless access point for use in a local area network (Figure 3, access point or portable base station 22) for transmitting data among networked devices (Figure 3, network devices 28).

Ayanoglu, however, failed to specify the use of a power-line modem connected to a power line to receive, transmit and relay signal among networked devices connected to the power line.

Durdik teaches the use of power line MODEM to transmit, receive and relay signals among connected network devices to the same power line (Durdik teaches the use of power line MODEM to modulate and demodulate signals coming to and coming from the power line into signals understood by the connected devices. See Fig. 2, block 78; see column 4, lines 46-54).

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It would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the Ayanoglu access point to include the power line MODEM, the motivation being that the access point will be able to communicate with all connected access points to the same power line.

Regarding claims 9 and 20, Durdik disclosed the use of power to the connected equipment coming directly from the connected power line (See column 3, lines 50-57).

9. Claims 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayanoglu in view of Zhong (U.S. 6,285,876) hereinafter referred to as Zhong.

Regarding claims 10 and 21, Ayanoglu disclosed a wireless access point for use in a local area network (Figure 3, access point or portable base station 22) for transmitting data among networked devices (Figure 3, network devices 28).

Ayanoglu, however, failed to specify the implementation of test port used to test or configure the access point.

Zhong teaches the use of test port to test the equipment (See figure 1, connection 110).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the Ayanoglu access point to include the test ports, the motivation being that with the test port, users can access and test the access point without interrupting traffic to the line.

10. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ayanoglu in view of Kubler (U.S. 6,389,010) hereinafter referred to as Kubler.

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Regarding claim 27, Ayanoglu disclosed a wireless access point for use in a local area network (Figure 3, access point or portable base station 22) for transmitting data among networked devices (Figure 3, network devices 28).

Ayanoglu, however, failed to disclose a portable device could be a wireless phone unit that controls a voice mail feature according to said determined location.

Kubler disclosed a portable device could be a wireless phone unit that controls a voice mail feature according to said determined location (Kubler discussed voice mail features associated with the phone as part of the LAN. See column 96, lines 41-61).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the Ayanoglu wireless phone unit to control a voice mail feature according to said determined location, the motivation being that voice mail access is always available at all locations within the LAN.

11. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ayanoglu in view of Portaro (U.S. 5,946,617).

Regarding claim 28, Ayanoglu disclosed a wireless access point for use in a local area network (Figure 3, access point or portable base station 22) for transmitting data among networked devices (Figure 3, network devices 28).

Ayanoglu, however, failed to specify the portable device to be a wireless PDA (Personal digital assistant) that provides different features or information according to said determined location.

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Portaro teaches portable devices can be the wireless PDA devices in communication with access point (See column 1, lines 52-61. PDA comprises of its own PDA features).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to understand that the portable device can be a PDA device, the motivation being that wireless portable devices shall at least include PDA devices.

Response to Arguments

12. Applicant's arguments with respect to claim 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Q. Le whose telephone number is 571-272-2246. The examiner can normally be reached on 8 AM -5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VL


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